

If you are unable to pay for an attorney but would like legal representation in a pending, active civil suit in District Court, you may submit a Motion for Appointment of Pro Bono Counsel. The decision to appoint *pro bono* counsel lies with the judge presiding over your case. Judicial officers may order the appointment of counsel for all purposes, for the limited purpose of reviewing plaintiff's claims, or for other specific purposes, such as assistance in mediation or settlement conferences.

Appointment for All Purposes

When a judge appoints *pro bono* counsel for all purposes, the appointment is sent to the next attorney or law firm on the Court's panel of attorneys and firms who have volunteered to offer *pro bono* services. If a conflict of interest exists, the attorney or firm will file a response reporting the conflict within 12 days, after which a new appointment order will be issued.

Attorneys who have been appointed for all purposes may move to withdraw from a case at any time if they believe that continuing representation would create a conflict of interest or cause the attorney to violate the Rules of Professional Conduct. If the Court grants the motion to withdraw, the litigant must file a new Motion for Appointment of Pro Bono Counsel.

An attorney appointed for all purposes takes responsibility for all aspects of case management, including filing timely notices and motions, managing discovery and other pretrial activity, and representing you at trial.

Appointment for a Limited Purpose of Reviewing Plaintiff's Claims

This type of appointment provides the attorney with an opportunity to evaluate the validity of a plaintiff's complaint. The attorney is expected to accept appointment for all purposes if a plaintiff has a factual and legal basis to prevail on any claim. The attorney has twelve days to establish whether or not there is a conflict of interest, and thirty days after that to investigate the facts of the case, research the law, and evaluate the plaintiff's claims. This gives the attorney a total of forty-two days to review the case. On or before the forty-second day, the attorney must respond to the Order, and submit a report to the plaintiff describing the factual context of the case, the basis of any claims, and an analysis of the potential to prevail in court.

It is important to understand that, during this evaluation period, you are not yet represented by the attorney conducting the review. Unless and until the attorney requests appointment for all purposes, he or she is not responsible for any deadlines in the case.

Appointment for Any Other Purpose

There are circumstances, such as the decision to enter Alternative Dispute Resolution ("ADR") proceedings, where it would be useful to have an attorney who is familiar with court procedures to assist you. In those situations, the Court will consider a motion to appoint *pro bono* counsel

for that specific purpose.